

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiffs,

vs.

EDWARD E. LEWIS,
Defendant.

8:19CR386

ORDER

This matter is before the Court on the request of the defendant seeking compassionate release. [Filing No. 174](#). Defendant seeks a reduction of sentence pursuant to 18 U.S.C. § 3582(c)(1)(A) as amended by Section 603 of the First Step Act, Pub. L. No. 115-391, 132 Stat. 5194 (2018). In Section 603 of the First Step Act, Congress amended 18 U.S.C. § 3582(c)(1)(A) to permit defendants to move a sentencing court for compassionate release “after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier.” Administrative exhaustion under the Act is a jurisdictional prerequisite to this Court making a decision as to compassionate relief. In the present case, the defendant has not indicated that he has exhausted his administrative remedies with the prison system. Before the Court can move forward with this case, the defendant must show that he has exhausted his administrative remedies, and he must file this showing with the Clerk of Court.

THEREFORE, IT IS ORDERED THAT the defendant shall have 60 days from the date of this Order to provide the Court with proof of exhaustion.

Dated this 23rd day of April, 2024.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge